

## REMARKS

### 1. *Status of claims*

After entry of the above amendment, claims 1-8, 26, 28-29, and 33-40 are pending.

### 2. *Support for amendment*

The above amendment cancels claims 18-23 and removes improperly dependent subject matter from claim 28. No new matter has been added by this amendment. Applicants' cancellation of claims 18-23 is not an admission that Applicants consider those claims unpatentable over the cited art. Applicants expressly reserve the right to pursue the subject matter of claims 18-23 in a continuing application.

### 3. *Claim rejections under 35 U.S.C. § 112*

The Examiner rejected claim 28 under 35 U.S.C. § 112, second paragraph, as being improperly dependent on claim 1 for reciting fragments of histone and ribosomal proteins excluded from claim 1. By the above amendment, fragments with closest database matches to histones or ribosomal proteins have been deleted from claim 28.

### 4. *Claim rejections under 35 U.S.C. § 103*

The Examiner rejected claims 18-23 under 35 U.S.C. § 103(a) as being unpatentable over Wang *et al.*, US 6,177,406, in view of Cerletti *et al.*, EP 0433225 A1; and Stelincki *et al.*, *Plastic and Recon. Surgery* (1998) 101:12-19, as described previously. In light of the above

amendment, claims 18-23 have been canceled and Applicants submit the basis for this rejection has been withdrawn.

5. *Claim objections*

The Examiner objected to claim 28 for containing an informality, specifically, SEQ ID NO:24 was identical to SEQ ID NO:32. By the above amendment, the recitation of SEQ ID NO:32 in claim 28 has been deleted. Applicants submit the basis for this objection has been removed.

6. *Conclusion*

Applicants submit all pending claims are in condition for allowance. The Examiner is invited to contact the undersigned patent agent at (713) 934-4065 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

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